

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 1st day of June, 2009 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Phillip Hyatt, Council Member
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE PERSONNEL PRESENT: Mike Sullinger, Interim City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE PERSONNEL ABSENT:

STAFF PRESENT: Bill Haines, Asst. Police Chief/Harbormaster
Don Brummett, Acting Public Works Director
Rickie Kilgore, Fire Chief

OTHERS PRESENT: Lu & Ralph Arcemont, James Hale, Jeanie Brummett, Jim & Alpha Covington, Douglas Carr, Mary Ann Tiemann, Jack Chaney/Aransas Co. Commissioner, Eva Young, Jennifer Thomas, Rosemary Vega/Chamber of Commerce

There may have been others present who did not sign in.

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on June 1, 2009.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

ITEM 3. CONSIDER AND ACT ON APPROVING THE MINUTES OF MAY 18, 2009.

Council Member Mayer made the motion to approve the minutes of May 18, 2009. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 4. CONSIDER AND ACT ON REQUEST OF HALO-FLIGHT, INC. TO INCLUDE HALO-FLIGHT IN THE CITY'S 2009-2010 BUDGET FOR FUNDING IN THE AMOUNT OF \$1,000.00.

Mayor Pro Tempore Attaway made the motion to approve the request of Halo-Flight, Inc. to include Halo-Flight, Inc. in the City's 2009-2010 budget for funding in the amount of \$1,000.00. Council Member Abrego seconded the motion and the motion carried unanimously.

ITEM 5. CONSIDER AND ACT ON APPOINTMENT OF PERMANENT BOARD MEMBERS TO THE CRIME PREVENTION AND CONTROL BOARD.

After discussion regarding the limited number of applications received and the time frame for appointing Board Members, Mayor Pro Tempore Attaway made the motion to table Item 5 until the July 6 (2009) City Council meeting and authorize the City Secretary to advertise for applications in the newspaper. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Pro Tempore Attaway asked City Attorney Allen Lawrence when does the sales tax (pertaining to the Crime Prevention and Control Board) go into effect?

The City Attorney stated the sales tax would go into effect the first quarter after the first quarter after the election (October).

ITEM 6. **CONSIDER AND ACT ON APPOINTMENT OF ARANSAS PASS MUNICIPAL DEVELOPMENT DISTRICT BOARD MEMBERS.**

After discussion on residency requirements, Council Member Mayer made the motion to appoint Nancy Davis, Harlow Landphair, Mary Ann Heimann and James Mills to the Aransas Pass Municipal Development District Board. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 7. **CONSIDER AND ACT ON APPROVING RESOLUTION 2009-619 – TAX RESALE OF LOTS 5 AND 6, BLOCK 515, CITY OF ARANSAS PASS.**

Mayor Knight stated Habitat For Humanity had bid on the property. He stated he thought the property had a demolition lien.

Interim City Manager Mike Sullinger stated the property had one demolition lien and five mowing liens for a total of \$3,890.

Mayor Pro Tempore Attaway asked does the property go back on the tax rolls after Habitat for Humanity builds a house on the property?

The City Attorney stated yes. He stated he was not aware the property had liens and was not sure the City could sell the property.

After discussion regarding the liens and forgiving liens, Mayor Knight asked the City Attorney to research the legality (of forgiving liens).

Mayor Pro Tempore Attaway stated realistically, the property's current value was approximately \$6,000.00 and had \$16,000.00 owed in back taxes that no one would ever collect.

Mayor Pro Tempore Attaway made the motion to table Item 7 pending further investigation by the City Attorney. Council Member Abrego seconded the motion and the motion carried unanimously.

ITEM 8. **CONSIDER AND ACT ON RESOLUTION NO. 2009-620 - AUTHORIZING INTERVENTION IN AEP TEXAS CENTRAL COMPANY'S AND AEP TEXAS NORTH COMPANY'S REQUEST FOR APPROVAL OF AN ADVANCED METERING SYSTEM (AMS) DEPLOYMENT PLAN AND REQUEST FOR AMS SURCHARGES FILED AT THE PUBLIC UTILITY COMMISSION OF TEXAS; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY AEP TEXAS CENTRAL COMPANY AND STEERING COMMITTEE OF CITIES SERVED BY TEXAS NORTH COMPANY TO REVIEW THE APPLICATION; HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THE RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO LEGAL COUNSEL.**

The Interim City Manager stated this was an ad hoc part of STAP (South Texas Aggregation Project), a company that negotiates fees for cities. He stated STAP had been successful in lowering the fees for AEP's digital metering system in North Texas. He stated the Council had a list of cities that had signed on to this intervention in AEP's request to the Public Utilities Commission for replacing their meters with Advanced Metering System (digital meters). He stated the intervention action by STAP would not cost the city anything. He stated he recommended approval of the resolution.

Mayor Pro Tempore Attaway made the motion to approve Resolution No. 2009-620 - Authorizing intervention in AEP Texas Central Company's and AEP Texas North Company's request for approval of an advanced metering system (AMS) deployment plan and request for AMS surcharges filed at the Public Utility Commission of Texas; Approving cooperation with the steering committee of cities served by AEP Texas Central Company and steering committee of cities served by Texas North Company to review the application; Hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; Finding that the meeting at which the resolution is passed is open to the public as required by law; Requiring notice of this Resolution to legal counsel. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 9. **CONSIDER AND ACT ON SETTING A DATE FOR A WORKSHOP TO DISCUSS ONGOING PROJECTS, GRANTS, FUTURE PROJECTS, AND STATE OF THE CITY.**

After discussion, Council Member Mayer made the motion to set June 18 (2009) for a workshop to discuss ongoing projects, grants, future projects, and state of the City. Council Member Abrego seconded the motion and the motion carried unanimously.

ITEM 10. CITIZENS' COMMENTS.

Mayor Knight thanked Don Brummett and Ernest Kinikin with Public Works for hanging the historical pictures in the City Hall lobby. Mayor Knight also thanked Lu and Ralph Arcemont for furnishing the pictures.

Jack Chaney, Aransas County Commissioner Precinct 1 and 1A, stated Aransas County continued to work on the Degussa project. He stated Aransas County was trying to bring in an eco-friendly business that will bring jobs to the community. He stated the County had hired a consultant to promote the property and would appreciate any ideas from the Council regarding the use of the Degussa property. He stated he wanted to make sure this end of the county was getting the right amount of funds that are equivalent to the citizenry in other areas of Aransas County. Commissioner Chaney congratulated the Council on their elections and the stability of the Council.

Jennifer Thomas asked the Council did they have a plan to replace the City Manager?

Mayor Knight stated the Council had authorized Mr. Sullinger to advertise in several places for a City Manager. Discussion followed on the search process for a City Manager and employment history of two former City Managers.

Mary Ann Tiemann invited the public to the City's Library on the second Thursday of every month, 4:00 to 6:00 p.m. for meeting of the Sunshine Group, concerning people with disabilities. Ms. Tiemann spoke about the various activities of the group.

Douglas Carr spoke regarding loud noise caused by motorcycles and radios; people disregarding stop signs;

Eva Young congratulated the Council Members on winning their elections and Mr. Sullinger for being reappointed as Interim City Manager.

Jack Chaney commented on the hiring process for a City Manager.

Mayor Pro Tempore Attaway spoke on the danger of people using a cell phone while driving and the possibility of a cell phone ordinance.

Mike Sullinger stated former County Commissioner Oscar Pena held an annual "trash day" and asked Mr. Chaney could he coordinate with San Patricio and Nueces Counties to have a week-long trash pick-up?

Commissioner Chaney stated Aransas County did not have "trash days" any longer. He stated Aransas County allows Aransas County residents to dump 1,000 pounds of trash, per person, four times a year, in the (County) landfill for free. He stated he would be happy to talk to San Patricio County Commissioner Jim Price about coordinating with San Patricio County on a trash pickup project.

Mike Sullinger asked Mr. Chaney could he also speak to the Nueces County Commissioner about trash removal?

Commissioner Chaney stated he would like to do that.

Discussion followed regarding the difference in the City's trash pick up and the County's transfer station; the City's trash pick up methods and schedule, and illegal dumping.

ITEM 11. ADJOURNMENT OF MEETING.

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:45 p.m.

Tommy Knight, Mayor

ATTEST:

Ada Owens, City Secretary